

BEFORE THE DIVISION OF INSURANCE

STATE OF COLORADO

FINAL AGENCY ORDER O-03-326

**IN THE MATTER OF THE MARKET CONDUCT EXAMINATION OF ALLSTATE
PROPERTY AND CASUALTY INSURANCE COMPANY,**

Respondent

THIS MATTER comes before the Colorado Commissioner of Insurance (the "Commissioner") as a result of a market conduct examination conducted by the Colorado Division of Insurance (the "Division") of Allstate Property and Casualty Insurance Company (the "Respondent"), pursuant to §§ 10-1-201 to 207, C.R.S. The Commissioner has considered and reviewed the market conduct examination report, dated March 31, 2003 (the "Report") relevant examiner work papers, all written submissions and rebuttals, and the recommendations of staff. The Commissioner finds and orders as follows:

FINDINGS OF FACT

1. At all relevant times, the Respondent was a corporation licensed by the Division to conduct all lines of property and casualty insurance.
2. In accordance with §§ 10-1-201 to 207, C.R.S., on March 31, 2003, the Division completed a market conduct examination of the Respondent. The period of examination was January 1, 2002, to February 28, 2003.
3. In scheduling the market conduct examination and in determining its nature and scope, the Commissioner considered such matters as selected underwriting and rating practices resulting from open consumer complaints of Respondent's automobile and homeowners business, and other criteria as set forth in the most recent available edition of the examiners' handbook adopted by the National Association of Insurance Commissioners, as required by § 10-1-203(1), C.R.S.
4. In conducting the examination, the examiner observed those guidelines and procedures set forth in the most recent available edition of the examiners' handbook adopted by the National Association of Insurance Commissioners and the Colorado insurance examiners handbook. The Commissioner also employed other guidelines and procedures that he deemed appropriate, pursuant to § 10-1-204(1), C.R.S.

5. The market conduct examiner prepared the Report. The Report is comprised of only the facts appearing upon the books, records, or other documents of the Respondent, its agents or other persons examined, or as ascertained from the testimony of the Respondent's officers or agents or other persons examined concerning Respondent's affairs. The Report contains the conclusions and recommendations that the examiner finds reasonably warranted based upon the facts.
6. The Commissioner has fully considered and reviewed the Report, any and all of Respondent's submissions and rebuttals, and all relevant portions of the examiner's work papers.

CONCLUSIONS OF LAW AND ORDER

7. Unless expressly modified in this Order, the Commissioner adopts the facts, conclusions and recommendations contained in the Report. A copy of the Report is attached to the Order and is incorporated by reference.
8. The facts as ascertained by the examiner in the Report indicate that there are no violations of Colorado law concerning the areas of compliance examined. Accordingly, the Commissioner is not ordering any corrective actions against Respondent.
9. Since the Report shows no violations of Colorado law concerning the areas of compliance examined, the Commissioner is not imposing a monetary penalty against Respondent.
10. Pursuant to § 10-1-205(4)(a), C.R.S., within sixty (60) days of the date of this Order, the Respondent shall file affidavits executed by each of its directors stating under oath that they have received a copy of the adopted report and related orders.
11. This Order shall not prevent the Division from commencing future agency action relating to conduct of the Respondent not specifically addressed in the Report, not resolved according to the terms and conditions in this Order, or occurring before or after the examination period.
12. Copies of the Report and this final Order will be made available to the public no earlier than thirty (30) days after the date of this Order, subject to the requirements of § 10-1-205, C.R.S.

WHEREFORE: It is hereby ordered that the Commissioner adopts the final examination report dated March 31, 2003, and imposes neither a monetary penalty, nor corrective actions concerning the areas of compliance examined. The above Order is hereby approved this 13th day of June, 2003.

A handwritten signature in black ink, reading "Doug Dean". The signature is written in a cursive style with a large, looped "D" and a trailing flourish.

Doug Dean
Commissioner of Insurance